

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.,  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2326

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THIS DOCUMENT RELATES TO CASES  
ON THE EXHIBIT ATTACHED HERETO

**ORDER**

(Dismissing Defendant Boston Scientific Corp. with Prejudice  
and Transferring Cases to MDL 2327)

Pending in MDL 2326, 2:12-md-2326 [ECF No. 4420], is a Joint Motion to Dismiss Defendant Boston Scientific Corp. with Prejudice filed by the plaintiffs, identified in Exhibit A, (attached hereto) and Boston Scientific Corp. (“BSC”) seeking dismissal of BSC as a defendant in these actions with prejudice because all claims against BSC have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiffs’ Motion to Transfer MDLs for these cases [ECF No. 4420]. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss BSC with Prejudice is **GRANTED**. It is further **ORDERED** that the **MOTION TO TRANSFER MDLs** is **GRANTED**. Defendant BSC is **DISMISSED WITH PREJUDICE** as a defendant in the actions listed in Exhibit A, these actions are **TRANSFERRED** to MDL 2327, and the Clerk is directed to disassociate these civil actions as member cases in MDL 2326 and re-associate them with MDL 2327.

Plaintiff's counsel states in the Motion to Transfer that an Amended Short Form Complaint will be filed within 14 days of the filing of the Joint Motion. To the extent the Amended Short Form Complaint has not been filed, plaintiff's counsel is **DIRECTED** to file an Amended Short Form Complaint within the time frame stated in the motion.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326 and in the individual cases listed in Exhibit A.

ENTER: November 14, 2017



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

**EXHIBIT A**

<b>CASE NUMBER</b>	<b>CASE NAME</b>
14-cv-17142	JOUCKEN, Esther and Richard Joucken vs. Boston Scientific Corporation, Johnson & Johnson, Ethicon, Inc., Ethicon, LLC
13-cv-11774	LEE, Theresa and Wade Lee vs. Boston Scientific Corporation, Johnson & Johnson, Ethicon, Inc., Ethicon, LLC
13-cv-31434	SHAW, Cheryl A. vs. Boston Scientific Corporation, Johnson & Johnson, Ethicon, Inc., Ethicon, LLC
13-cv-31841	THORWALDSON, Gina vs. Boston Scientific Corporation, Johnson & Johnson, Ethicon, Inc., Ethicon, LLC
13-cv-31853	ULBERG, Dawn and Royce Ulberg vs. Boston Scientific Corporation, Johnson & Johnson, Ethicon, Inc., Ethicon, LLC